

D-2929CON



AF/16437

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

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JM
7/18/03

In re application of)
Aoki et al)
Serial No.: 09/845,514)
Filing Date: April 30, 2001)
For: MULTIPLE BOTULINUM TOXINS FOR)
TREATING NEUROMUSCULAR DISORDERS)

Group Art Unit: 1645

Examiner: Ford, Vanessa L.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

ON OR BEFORE JULY 11, 2003

Title

Date

7/11/03

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NOTICE OF APPEAL

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Appellant hereby appeals to the Board of Appeals from the decision dated January 13, 2003 of the Primary Examiner finally rejecting Claims 1-4, 6-9, 17-20 and 22-28.

Appellant notes that claims 5, 21 and 29 would be allowable if amended to be in independent form.

The item(s) checked below are appropriate:

- ___ 1. An extension of time to respond to the final rejection was filed on _____, for one (1) month.
- XX 2. A timely response to the final rejection has been filed, as provided in 841 O.G. 1411. Appellant notes that

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although a response was filed within two months of the mailing date of the final office action, a response from the Patent and Trademark Office has not been received by appellant. Accordingly, no extension of time is necessary.

XX 3. Fee: Large Entity XX \$320

Enclosed

Not required (Fee paid in prior appeal)
XX
Charge the required fee and any deficiency or credit any overpayment to Deposit Account No. 01-0885.

Respectfully submitted,



Frank J. Uxa
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FJUxa/jm